

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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AMY DVORAK,

Civil No. 05-2050 (RHK/AJB)

Plaintiff,

**ORDER**

v.

BILL BLACKHORSE SOUTH DAKOTA,

Defendant.

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Based upon the Report and Recommendation by United States Magistrate Judge Arthur J. Boylan dated September 7, 2005, and no objections having been filed with reference thereto, **IT IS HEREBY ORDERED:**

1. The Report and Recommendation (Doc. No. 3) is **ADOPTED**;
2. Plaintiff's "Application to Proceed Without Prepayment of Fees" (Doc. No. 2) is **DENIED**; and
3. This action is summarily **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

Dated: 9/26/05

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge